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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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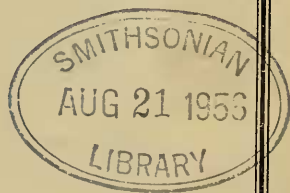
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 404

Validation under the Plenary Powers of *Pyrrhocorax*
[Tunstall], 1771, as the generic name for the Chough
(Class Aves)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 404

VALIDATION UNDER THE PLENARY POWERS OF “PYRRHOCORAX” [TUNSTALL], 1771, AS THE GENERIC NAME FOR THE CHOUGH (CLASS AVES)

RULING:—(1) The following action is hereby taken under the Plenary Powers:—

- (a) The generic name *Coracia* Brisson, 1760, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy;
- (b) The generic name *Pyrrhocorax* Brisson, 1760, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.
- (c) The generic name *Pyrrhocorax* [Tunstall], 1771, is hereby validated¹.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Nos. 994 and 995 respectively:—

- (a) *Coracias* Linnaeus, 1758 (gender: masculine) (type species, by selection by Selby ([1825]): *Coracias garrulus* Linnaeus, 1758);
- (b) *Pyrrhocorax* [Tunstall], 1771, as validated under the Plenary Powers under (1)(c) above (gender: masculine) (type species, by monotypy: *Upupa pyrrhocorax* Linnaeus, 1758).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 703 and 704 respectively:—

- (a) *garrulus* Linnaeus, 1758, as published in the combination *Coracias garrulus* (specific name of type species of *Coracias* Linnaeus, 1758);

¹ A Ruling by the International Commission on the status of the anonymous work in which the name *Pyrrhocorax* was published by Tunstall in 1771, has been given in *Direction* 38 (shortly to be published in Section D of volume 1 of the present series).

- (b) *pyrrhonorax* Linnaeus, 1758, as published in the combination *Upupa pyrrhonorax* (specific name of type species of *Pyrrhonorax* [Tunstall], 1771).

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. severally specified below:—

- (a) *Coracia* Brisson, 1760, as suppressed under the Plenary Powers under (1)(a) above (Name No. 427);
- (b) *Coracia* Hübner, [1819] (a junior homonym of *Coracia* Brisson, 1760) (Name No. 428);
- (c) *Coracia* Mörch, 1865 (a junior homonym of *Coracia* Brisson, 1760) (Name No. 429);
- (d) *Coracias* Herrmannsen, 1847 (a junior homonym of *Coracias* Linnaeus, 1758) (Name No. 430);
- (e) *Galgulus* Brisson, 1760 (a junior objective synonym of *Coracias* Linnaeus, 1758) (Name No. 431);
- (f) *Galgulus* Latreille, [1802-1803] (a junior homonym of *Galgulus* Brisson, 1760) (Name No. 432);
- (g) *Galgulus* Wagler, 1827 (a junior homonym of *Galgulus* Brisson, 1760) (Name No. 433);
- (h) *Galgulus* Kittlitz, 1832 (a junior homonym of *Galgulus* Brisson, 1760) (Name No. 434);
- (i) *Pyrrhonorax* Nozeman & Vosmaer, 1758 (invalid, because published in a work rejected for nomenclatorial purposes) (Name No. 435);
- (j) *Pyrrhonorax* Brisson, 1760, as suppressed under the Plenary Powers under (1)(b) above (Name No. 436);
- (k) *Pyrrhonorax* Vieillot, 1816 (a junior homonym of *Pyrrhonorax* [Tunstall], 1771) (Name No. 437).

I.—THE STATEMENT OF THE CASE

On 19th October 1950 an application for the validation under the Plenary Powers of *Pyrrhonorax* [Tunstall], 1771, as the generic name for the Chough (Class Aves) was submitted to the Commission by the Standing Committee on Ornithological Nomenclature established by the Tenth International Ornithological Congress, Uppsala, 1950. This application, with the covering letter from Colonel Richard Meinertzhagen, the Chairman of the Committee was as follows:—

Proposed validation under the Plenary Powers of the generic name “Pyrrhonorax” [Tunstall], 1771 (Class Aves) for the Chough

Application submitted by the
Standing Committee on Ornithological Nomenclature of the
International Ornithological Congress

Covering letter, dated 19th October, 1950, with enclosures,
from Colonel R. Meinertzhagen, Chairman of the Standing
Committee on Ornithological Nomenclature of the Inter-
national Ornithological Congress

As Chairman of the Standing Committee on Ornithological Nomenclature, I beg to forward to you the following recommendation for favour of decision by the International Commission on Zoological Nomenclature.

ENCLOSURE 1

Proposed validation under the Plenary Powers of the generic name “Pyrrhonorax” [Tunstall], 1771

Pyrrhonorax [Tunstall], 1771, *Orn. Brit.*: 2. Type species of genus by monotypy: *Upupa pyrrhonorax* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 188.

Coracia Brisson, 1760, *Orn.* 2: 3 (with same type species).

The name *Pyrrhonorax* has been used for over one hundred years.

Sharpe (1877, *Cat. Birds Brit. Mus.* 3: 146) rejects *Coracia* owing to its similarity with *Coracias* Linnaeus. It has since been rejected by many authors as being a faulty transliteration of *Coracias*.

The B.O.U. List Committee (1947 *Ibis* **1947**: 354) adopted the name *Coracia* Brisson as the correct name of the genus *Pyrrhonorax* Tunstall. This change can only lead to confusion.

It is hoped that *Pyrrhonorax* Tunstall, 1771 (type species: *Upupa pyrrhonorax* Linnaeus, 1758) be made a *nomen conservandum* and that *Coracia* Brisson be suppressed.

R. MEINERTZHAGEN: *Chairman of the Standing Committee.*

E. STRESEMANN: *Zoologisches Museum der Universität, Berlin.*

JOHN T. ZIMMER: *The American Museum of Natural History, New York.*

ENCLOSURE 2

**Note, dated 25th September, 1950, by Professor J. Berlioz
(Museum National d'Histoire Naturelle, Paris)**

As concerning *Coracia*, the question seems to me much more difficult [than the questions relating to the trivial name of the Song Thrush and the proposed emendation of certain other trivial names dealt with respectively in Applications Z.N.(S.)493 and Z.N.(S.)491, submitted by the Standing Committee on Ornithological Nomenclature]. Of course, I myself hate the unnecessary changes in nomenclature. But I believe that the use of the name *Coracias* for the Rollers was adopted at the time when *all* Brisson's names were rejected. Since the generic names given by Brisson were considered as valid by a Zoological Congress, it seems that they must antedate Linné's names given in 1766. So (*most unfortunately, I agree*) *Coracia* would have priority for the Choughs and *Galgulus* for the Rollers. Even *Coracias* cannot be accepted for the latter, as it is clearly stated by Brisson that the Latin *Coracia* is the same as the French "Coracias", and *Galgulus* is perfectly valid for the Rollers.

2. Supplementary Note submitted by the Secretary to the Commission: On 13th September 1952 Mr. Hemming, as Secretary to the Commission, submitted a note, prepared in agreement with Colonel Meinertzhagen, the Chairman of the Standing Committee on Ornithological Nomenclature, in which he drew attention to the bearing on the present case of the decision taken by the International Congress of Zoology, Paris, 1948, in regard to the meaning to be attached to the expression

“ nomenclature binaire ” as used in Article 25 of the *Règles*. In this section of his note Mr. Hemming observed that the effect of the foregoing decision would have been, *inter alia*, to invalidate the generic names published in 1760 in Brisson’s *Ornithologie*, if it had not been for the fact that simultaneously with the foregoing decision and as part of the general settlement then reached the Commission used its Plenary Powers to validate the above work. The decision so taken has since been embodied in the Commission’s *Direction* 16 (1955, *Ops. Decls. int. Comm. zool. Nomencl.* 1(C): 81—88). The remaining portion of Mr. Hemming’s Note was concerned with certain miscellaneous points requiring attention in connection with the present case in addition to those set out in the application submitted by the Standing Committee on Ornithological Nomenclature. Mr. Hemming’s Note, exclusive of the introductory portion summarised above, was as follows:—

On the application relating to the generic names “ *Pyrrhocorax* ” [Tunstall], 1771, and “ *Coracia* ” Brisson, 1760 (Class Aves), submitted by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress

By FRANCIS HEMMING, C.M.G., C.B.E.
(*Secretary to the International Commission on Zoological Nomenclature*)

1. The purpose of the present note is twofold: (1) to clear away certain misapprehensions which from the second of the two enclosures submitted by the Standing Committee on Ornithological Nomenclature appear to exist regarding the action taken by the International Congress of Zoology and by the International Commission on Zoological Nomenclature in regard to the status of generic names published in Brisson (M. J.), 1760, *Ornithologie*; (2) to indicate the action which under the established procedure would be necessary in the event of the approval by the International Commission on Zoological Nomenclature of the recommendations in regard to the generic names *Pyrrhocorax* [Tunstall], 1771, and *Coracia* Brisson, 1760, submitted to it by the Standing Committee on Ornithological Nomenclature.

(a) Action taken by the International Congress of Zoology and by the International Commission on Zoological Nomenclature in regard to the status of generic names in Brisson, 1760, “ *Ornithologie* ”

.

(b) Need for the decision on the application received from the Standing Committee on Ornithological Nomenclature in regard to the names "Pyrrhocorax" [Tunstall], 1771, and "Coracia" Brisson, 1760, to cover all aspects of the problem involved

7. Two decisions taken in Paris in 1948 on questions of procedure affect the form and scope of the decision to be taken by the International Commission on Zoological Nomenclature on the application received from the Standing Committee on Ornithological Nomenclature in regard to the names *Pyrrhocorax* [Tunstall], 1771, and *Coracia* Brisson, 1760. The first of these decisions, a decision taken by the International Commission itself, is that, contrary to the practice adopted in the case of certain of its earlier *Opinions*, the decision to be taken in any given case is in future to cover all the points involved in the problem in question and not be confined to certain aspects of that problem of special interest to the applicant from whom the case had been received (see 1950, *Bull. zool. Nomencl.* 4: 355). The second of the decisions referred to above was that by which the Thirteenth International Congress of Zoology laid upon the International Commission the duty of placing upon the *Official List of Generic Names in Zoology* (or, as the case may be, the corresponding *Official Index of Rejected and Invalid Generic Names*) the name of any genus, on which a ruling is given by the Commission, and upon the *Official List of Specific Trivial Names in Zoology* (or, as the case may be, the corresponding *Official Index of Rejected and Invalid Specific Trivial Names*) any trivial name in respect of which a decision may be given by the Commission (including the trivial names of the type species of genera, the names of which are placed on the *Official List of Generic Names*, except where any such trivial name is not the oldest available such name for the species in question) (see 1950, *Bull. zool. Nomencl.* 4: 267—271, 334).

8. Under the decisions referred to above, the decision to be taken on the present application will need to deal with the following matters:—

- (1) Since the application involves the question of the status of the name *Coracias* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1: 107) as the generic name for the Rollers in relation to the name of the objectively identical nominal genus *Galgulus* Brisson, 1760 (*Ornithologie* 1: 30; 2: 64) (see Enclosure 2 to application submitted), it will be necessary for this subject to be dealt with in the *Opinion* rendered on this application. Since *Galgulus* Brisson, 1760, is an objective junior synonym of *Coracias* Linnaeus, 1758 (type species, by subsequent selection by Selby, [1825] (*Ill. brit. Orn.* 1 (Landbirds): xxvii): *Coracias garrulus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 107), no difficulty of any kind arises, all that is necessary being (a) that the generic name *Coracias* Linnaeus, 1758 (type species as

above) should be placed on the *Official List of Generic Names in Zoology*, (b) that the name *Galgulus* Brisson, 1760, should be placed on the corresponding *Official Index of Rejected and Invalid Generic Names*, and (c) that the trivial name *garrulus* Linnaeus, 1758, as published in the binominal combination *Coracias garrulus*, should be placed on the *Official List of Specific Trivial Names*.

- (2) If the International Commission decides to grant the principal part of the request addressed to it and therefore to suppress the name *Coracia* Brisson, 1760 (*Ornithologie* 1: 30; 2: 3) under its Plenary Powers, thereby validating the name *Pyrrhonorax* [Tunstall], 1771 (*Orn. Brit.*: 2) (type species, by monotypy: *Upupa pyrrhonorax* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 118), the first of these names will need to be placed on the *Official Index of Rejected and Invalid Generic Names*, the second, on the *Official List of Generic Names*. If, however, the Commission were to reject the present application, the name *Pyrrhonorax* [Tunstall], 1771, would need to be placed on the *Official Index* and *Coracia* Brisson, 1760, on the *Official List*. In either case, the trivial name *pyrrhonorax* Linnaeus, 1758, as published in the combination *Upupa pyrrhonorax*, will need to be placed on the *Official List of Specific Trivial Names in Zoology*.

- (3) Next, it must be noted that in (for example) Neave's *Nomenclator zoologicus* there is noted a generic name *Pyrrhonorax* Moehring, 1758 (*Geslach. Vogel.* (Nozeman & Vosmaer ed.): 1, 15), which, if an available name, would invalidate the name *Pyrrhonorax* [Tunstall], 1771, which would then become a junior homonym. Fortunately, however, in this case also, no difficulty arises, since at its Session held in Paris in 1948 the Commission gave a ruling (see 1950, *Bull. zool. Nomencl.* 4: 566—568) that the *Geslachten der Vogelen* (the translation into Dutch of the pre-1758 work published by Moehring in 1752 under the title *Avium Genera*) is not available under the *Règles*, Nozeman and Vosmaer not having (as required by *Opinion* 5) reinforced the names in this book by adoption or acceptance.² Accordingly, all that will be necessary in this connection will be that the invalid name *Pyrrhonorax* Moehring, 1758, should be placed on the *Official Index of Rejected and Invalid Generic Names*.

- (4) It must be noted also that, in addition to the name *Pyrrhonorax* Nozeman & Vosmaer, 1758, discussed above, there is also a name *Pyrrhonorax* Brisson, 1760 (*Ornithologie* 2: 30—31), of which due account must be taken. In considering this name two points must be noted: (a) that within any given assemblage of species treated by him as constituting a "genus", Brisson

² The Commission's decision in regard to the status of the above work has since been embodied in *Opinion* 241 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 5(2) : 13—22).

did not regard himself as in any way bound to cite all the included species under the name of the genus so accepted and indeed very frequently cited the included species under two or more generic (or subgeneric) names, (b) where a species had by previous (pre-1758) authors been known by a universal specific name and where Brisson adopted for the genus (or the sub-genus) concerned the same word as that by which the species in question had previously been known, Brisson, though a "binary" (but not binominal) author, himself cited the species under a scientific name consisting of the single word which thus denoted both the group (? subgenus) to which Brisson considered the species to belong and also the species itself. In the case with which we are here concerned, namely Brisson's "Genus XIV", the genus *Corvus*, Brisson included ten species but of these he cited only one under the name "Corvus" (here used to denote tautonymy in the manner explained above), the other nine species being cited under the names *Cornix* (4 species), *Pyrrhonorax* (1 species), *Monedula* (4 species). The species to which Brisson applied the generic (or subgeneric) name *Pyrrhonorax* is, according to the synonymy given by Brisson, the "Pyrrhonorax" of Gesner and of Aldrovandus. This species, called by Brisson in French "Le Choucas des Alpes", was stated by him to be somewhat larger than the "Choucas ordinaire" (the jackdaw) and was figured by him as fig. 2 on plate 1 of volume 2 of the *Ornithologie*. Colonel Richard Meinertzhagen, who, at my request, has kindly examined Brisson's description and figure, has informed me (*in litt.*, 13th September 1952) that this bird of Brisson's is the Alpine Chough. If no action were now taken in connection with the name *Pyrrhonorax* Brisson, the suppression (as proposed by the Standing Committee on Ornithological Nomenclature) of the name *Coracia* Brisson, 1760, would not (as is the purpose of the proposed suppression of this name) validate *Pyrrhonorax* [Tunstall], 1771, for the Chough, for that name, though no longer a junior objective synonym of *Coracia* Brisson, would still be an invalid name, as it would remain a junior homonym of *Pyrrhonorax* Brisson, 1760. Accordingly, in order to secure the object sought by the Standing Committee, it would be necessary for the Commission to use its Plenary Powers not only to suppress *Coracia* Brisson, 1760, but also to suppress the name *Pyrrhonorax* Brisson.

- (5) The rule that junior homonyms or junior objective synonyms, when encountered, should be placed on the appropriate *Official Index* will mean that the following names should now be placed on the *Official Index of Rejected and Invalid Generic Names*: (1) *Coracias* Herrmannsen, 1847, *Ind. Gen. Malac.* 1: 303; (2) *Galgulus* Latreille, [1802-1803], (*in* Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 3: 252; (3) *Galgulus* Wagler, 1827,

Syst. Avium 1: sign. 21 (15); (4) *Galgulus* Kittlitz, 1832, *Kupfertaf. Nat. Vögel* (1): 7; (5) *Pyrrhonorax* Vieillot, 1816, *Analyse*: 36.

- (6) Finally, it must be recalled that the Thirteenth International Congress of Zoology inserted in the provisions relating to the use by the International Commission on Zoological Nomenclature of the Plenary Powers conferred upon it (now to be incorporated into the *Règles*) an instruction that, where those Powers were used to suppress a name for the purpose of validating a name of later date, the suppression so made should be limited to the status of the name in question in relation to the Law of Priority and should not affect its status in relation to the Law of Homonymy (see 1950, *Bull. zool. Nomencl.* 4: 339). Under this decision (the purpose of which was to prevent the suppression of a name for the foregoing limited purpose from having the unintended effect of validating some homonym of later date that had previously been rejected or of making it possible to publish for some other taxonomic unit, as a valid name, a name consisting of the same word as that of the name suppressed), the suppression of the name *Coracia* Brisson, 1760, if decided upon by the International Commission, will necessarily be confined to its status in relation to the Law of Priority, its position in relation to the Law of Homonymy remaining unaffected. Thus, the name *Coracia* Hübner, [1819] (*Verz. bekannt. Schmett.* (11): 168) will remain an invalid junior homonym of *Coracia* Brisson, 1760, and should accordingly be placed on the *Official Index of Rejected and Invalid Generic Names*, together with the later (inadvertently published) name *Coracia* Mörch, 1865 (*J. Conchyliol.* 13: 385).

8. Having now examined the various subsidiary matters on which action will, under the rules of procedure, be required as part of the decision to be taken on the application regarding the names *Pyrrhonorax* and *Coracia* submitted by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress, I summarise as follows, in agreement with Colonel Meinertzhagen, the form and scope of the decision required in the event of the International Commission on Zoological Nomenclature deciding to approve the application so submitted. In that event, it would be necessary for the International Commission:—

- (1) to use its Plenary Powers to suppress:—

- (a) the name *Coracia* Brisson, 1760, for the purposes of the Law of Priority but not for those of the Law of Homonymy;
- (b) the name *Pyrrhonorax* Brisson, 1760, for the purposes of both the Law of Priority and the Law of Homonymy;

- (2) to place the under-mentioned generic names on the *Official List of Generic Names in Zoology*:—
- (a) *Coracias* Linnaeus, 1758 (type species, by selection by Selby, ([1825]): *Coracias garrulus* Linnaeus, 1758);
 - (b) *Pyrrhonorax* [Tunstall], 1771 (type species, by monotypy: *Upupa pyrrhonorax* Linnaeus, 1758);
- (3) to place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology*:—
- (a) *garrulus* Linnaeus, 1758, as published in the combination *Coracias garrulus* (trivial name of type species of *Coracias* Linnaeus, 1758)
 - (b) *pyrrhonorax* Linnaeus, 1758, as published in the combination *Upupa pyrrhonorax* (trivial name of type species of *Pyrrhonorax* [Tunstall], 1771);
- (4) to place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology*:—
- (a) *Coracia* Brisson, 1760 (as proposed, under (1) (a) above, to be suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy)
 - (b) *Coracia* Hübner, [1819] (a junior homonym of *Coracia* Brisson, 1760)
 - (c) *Coracia* Mörch, 1865 (a junior homonym of *Coracia* Brisson, 1760)
 - (d) *Coracias* Herrmannsen, 1847 (a junior homonym of *Coracias* Linnaeus 1758)
 - (e) *Galgulus* Brisson, 1760 (a junior objective synonym of *Coracias* Linnaeus, 1758)
 - (f) *Galgulus* Latreille, [1802-1803] (a junior homonym of *Galgulus* Brisson, 1760)
 - (g) *Galgulus* Wagler, 1827 (a junior homonym of *Galgulus* Brisson, 1760)
 - (h) *Galgulus* Kittlitz, 1832 (a junior homonym of *Galgulus* Brisson, 1760)
 - (i) *Pyrrhonorax* Nozeman & Vosmaer, (*in* Moehring), 1758 (a name published in a book declared by the International Commission on Zoological Nomenclature to possess no status in zoological nomenclature)
 - (j) *Pyrrhonorax* Brisson, 1760 (as proposed, under (1) (b) above, to be suppressed under the Plenary Powers;
 - (k) *Pyrrhonorax* Vieillot, 1816 (a junior homonym of *Pyrrhonorax* [Tunstall], 1771).

9. Having thus summarised the action required in the event of the International Commission on Zoological Nomenclature deciding to grant the application submitted by the Standing Committee on Ornithological Nomenclature, it is necessary to consider also the action which would be required if the Commission were to take a decision in the opposite sense. This may be summarised as follows by reference to the four main Points enumerated in the immediately preceding paragraph:—

- (i) Point (1) in paragraph 8 would need to be replaced by a new sentence placing on record the refusal of the International Commission to 1760, to use its Plenary Powers to suppress the generic name *Coracia* Brisson.
- (ii) Under Point (2) the name *Coracia* Brisson, 1760, would be placed on the *Official List of Generic Names in Zoology* in place of *Pyrrhonorax* [Tunstall], 1771. The name *Coracias* Linnaeus, 1758, would still need to be placed on the *Official List*, for it is not a homonym of *Coracia* Brisson, 1760 (see 1950, *Bull. zool. Nomencl.* 4: 161—162, where are set out the criteria adopted by the International Congress of Zoology for determining whether any given pair of generic names are homonyms of one another).³
- (iii) No change would need to be made in Point (3), except that it would be necessary to amend the note to the entry relating to the trivial name *pyrrhonorax* Linnaeus, 1758, by substituting therein the name *Coracia* Brisson, 1760, for the name *Pyrrhonorax* [Tunstall], 1771.
- (iv) In Point (4) the only changes needed would be the deletion of the name *Coracia* Brisson, 1760 (sub-point (a)) and the insertion between the existing subpoints (h) and (i) of a new point reading: “*Pyrrhonorax* [Tunstall], 1771 (a junior objective synonym of *Coracia* Brisson, 1760) ”.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. Registration of the present application: Upon the receipt of Colonel Meinertzhagen's letter of 19th October 1950, the question of the validation under the Plenary Powers of the generic name *Pyrrhonorax* [Tunstall] was allotted the Registered Number Z.N.(S.)492.

³ The criteria for determining whether any pair of generic names should be treated as homonyms of one another have since been revised by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.* : 78, Decision 152). The argument in the above passage is not, however, affected by the changes introduced at Copenhagen.

4. Publication of the present application: The present application and Mr. Hemming's Supplementary Note were sent to the printer on 30th January 1952 and were published in the *Bulletin of Zoological Nomenclature* on 15th October of that year (Meinertzhagen (Application by the Standing Committee on Ornithological Nomenclature), 1952, *Bull. zool. Nomencl.* **9**: 53—54; Hemming (Supplementary Note), 1952, *ibid.* **9**: 54—61).

5. Issue of Public Notices: Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4**: 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 15th October 1952 (a) in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* (the Part in which the application by the Standing Committee on Ornithological Nomenclature was published), (b) to, the other prescribed serial publications and (c) to certain general zoological serials. In addition, such Notice was given also to fourteen serial publications or institutions specially concerned with ornithology. The names of the serials and institutions in question have been given in the *Opinion* (*Opinion* 401)⁴, relating to the generic name *Colymbus* Linnaeus, the *Opinion* in which the Commission dealt with the first of the series of applications submitted by the Standing Committee on Ornithological Nomenclature.

6. Comments of a general character: The issue of the Public Notices specified above elicited thirty-seven comments of a general character relating to the cases of ornithological nomenclature published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. These comments came from ornithological institutions, groups of ornithologists and individual specialists. Of these comments, the authors of thirty-six gave general support to the applications published in the foregoing Triple-Part. The single remaining comment was from a specialist who was opposed to any use of the Commission's Plenary Powers. The communications so received have been reproduced in the Appendix annexed to *Opinion* 401 (*Colymbus*)⁵,

⁴ *Opinion* 401 was published as Part 1 in the present volume.

⁵ See Footnote 4.

those supporting the applications referred to above being given in Part 1, the single comment in opposition to the above applications being given in Part 2.

7. Comments directly related to the present application:

Particular support for the present application was received from the following specialists and group of specialists: (a) Dr. A. C. V. van Bemmél (*formerly Curator of Birds, Bird Department, Zoological Museum, Bogor, Indonesia*); (b) a joint communication from Dr. Josselyn Van Tyne (*Ann Arbor, Michigan, U.S.A.*) and five other United States specialists. Objection to the present application was received from: (i) M. Noël Mayaud (*Faculté des Sciences de Paris, Laboratoire d'Evolution des Etres Organisés*); (ii) Captain C. H. B. Grant (*British Museum (Natural History), London*) on his own behalf and on that of five other British ornithologists. The communications so received are reproduced in the immediately following paragraphs.

8. Support received from Dr. A. C. V. van Bemmél (formerly Curator, Bird Department, Zoological Museum, Bogor, Indonesia):

On 23rd November 1952 Dr. A. C. V. van Bemmél (*Honorary Assistant, Zoologisch Museum, Amsterdam and formerly Curator, Bird Department, Zoological Museum, Bogor, Indonesia*) addressed a letter to the Commission intimating his support for the present and certain other applications relating to ornithological nomenclature published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. The following is an extract of the relevant portion of Dr. van Bemmél's letter:—

Concerning the notes published in *Bull. Zool. Nomenclature*, Vol. 9, pt. 1/3, pp. 1—106, I should like to inform you as follows:—

I should like to ask the International Commission on Zoological Nomenclature to use its Plenary Powers as is recommended . . . on pp. 60-61 (*Pyrrhocorax*) . . .

9. Support received from Dr. Josselyn Van Tyne and five other United States ornithologists:

On 18th March 1953 Dr. Josselyn Van Tyne (*Ann Arbor, Michigan, U.S.A.*) and the five under-mentioned specialists addressed a letter to the Commission in support of the present application: (a) Robert W. Storer (*Museum of Zoology, University of Michigan, Ann Arbor, Michigan, U.S.A.*);

(b) Andrew J. Berger (*Ann Arbor, Michigan, U.S.A.*); (c) Olin Sewall Pettingill, Jr. (*Northfield, Minnesota, U.S.A.*); (d) Frank A. Pitelka (*Berkeley, California, U.S.A.*); (e) John Davis (*Los Angeles, California, U.S.A.*). The letter so received was as follows:—

We, the undersigned, wish to express our strong approval of proposal No. 7 (concerning *Pyrrhonorax* Tunstall) published on page 3⁶ of vol. 9 of the *Bulletin of Zoological Nomenclature*. We hope that your Commission will take favorable action on it.

10. Objection received from M. Noël Mayaud (Faculté des Sciences de Paris, Laboratoire d'Evolution des Etres Organisés): On 17th March 1953 M. Noël Mayaud (*Faculté des Sciences de Paris, Laboratoire d'Evolution des Etres Organisés*) addressed a letter to the Commission enclosing a number of notes on proposals relating to ornithological nomenclature published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. Among these was the following note in which M. Mayaud indicated his objection to the present application:—

Maintien de *Coracia* Brisson, 1760, nom de genre antérieur à *Pyrrhonorax* Tunstall, 1771; *Coracia* doit être respecté comme les autres noms de genres de Brisson. Si *Pyrrhonorax* a été en usage durant de nombreuses années, *Coracia* l'a été antérieurement. Enfin une entorse à la loi de priorité ne se justifierait pas plus par l'usage, puisque les ouvrages récents d'avifaunistique se servent de l'appellation *Coracia*: *Oiseaux de la Faune belge*, Supplément de Ch. Dupond, 1950. *Les passereaux*, de Géroutet, 1951. *Check-list of the Birds of Great Britain and Ireland*, 1952; Liste des Oiseaux de France (à paraître au printemps de 1953).

Je rappelle que *Coracia* n'est pas un lapsus de Brisson pour *Coracias*: la référence originale qu'il donne du nom est celle de Jonston 1657 qui orthographia *Coracia* (*Ibis*, 1948, p. 340). Et dans la seconde édition de l' "*Ornithologia*" de Brisson, *Lugduni Batavorum*, 1763, T.1, p. 155, la même orthographe est donnée.

Ce serait faire oeuvre de partisan de ne pas respecter ce nom de genre de Brisson.

⁶ The page reference here cited is to the page in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*, where the present application appeared as proposal No. 7 in the Prescribed Plenary Powers Notice.

11. Objection received from Captain C. H. B. Grant (British Museum (Natural History), London) and five other British ornithologists: On 2nd April 1953 Captain C. H. B. Grant (*British Museum (Natural History), London*) addressed a letter to the Commission, covering a statement signed by himself and five other British ornithologists objecting to the action proposed in the present case. The five other signatories were: (a) Dr. J. M. Harrison (*Sevenoaks, Kent*); (b) Colonel O. E. Wynne (*Fording-bridge, Hants.*); (c) Mr. R. Wagstaffe (*City of Liverpool Public Museums, Liverpool*); (d) Lieutenant-Commander C. P. Staples (*Ickenham, Middlesex*); (e) Mrs. R. P. Hall (*London*). The statement so communicated was as follows:—

**“Coracia” Brisson, 1760: Type species “Upupa pyrrhcorax”
Linnaeus, 1758**

Nomina conservanda have been unacceptable in ornithology from the days of Hartert and W. L. Sclater. In the B.O.U. List Brit. Bds., p.x. 1915, the authors gave nine specific and four generic *nomina conservanda*, but state that uniformity “can only be attained by keeping to the strict law of priority”. These nine specific *nomina conservanda* have been replaced by earlier valid names in the 1923 list, since when *nomina conservanda* have been completely discarded for the reason that a *nomen conservandum* is a synonym, arbitrarily adopted, despite an earlier valid name being available.

No such term is to be found in the A.O.U. Code 1886-1908, and at the Meeting of the A.O.U. Check List Committee in Montreal in October 1951, it was stated that there was no intention to adopt any such procedure as *nomina conservanda*. It is noted that Dr. Zimmer is also of this opinion (see *Bull. zool. Nomencl.* 9: pp. 34 & 43, 1952). W. L. Sclater, Hartert, Mathews, Bates, Whistler, Tucker, C. B. Ticehurst, Roberts, Glegg and Low did not accept *nomina conservanda*. Neither have the authors of the 1952 B.O.U. Check List, Bds. Gt. Brit. & Ireland. If a *nomen conservandum* is adopted a departure has been made from the established date of 1st January 1758.

Coracia Brisson, 1, p. 30, 1760: type species *Upupa Pyrrhcorax* Linnaeus. All or none of Brisson's genera can be accepted, there is no sound argument for rejecting one and adopting another. Para 9(ii) on page 61 of 1952, *Bull. zool. Nomencl.* 9, in favour of retaining the genus *Coracia* should be adopted for the above reason and because it is quite clearly based on the Red-billed Chough of Europe.

The Willughby Society reprints of rare works, Giebel's *Thes. Orn.*, Sherborn's *Ind. Anim.*, Neave's *Genera*, the *Zool. Record*, and other such works were carried out to bring published names to the notice of the public, so that the worker can adopt the first valid name after 1st January 1758 and ensure the avoidance of homonyms. If valid names are ignored, as the I.C.Z.N. now proposes, then the valuable work done by the above is nullified.

III.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

12. Issue of Voting Paper V.P.(54)69: On 14th May 1954, a Voting Paper (V.P.(54)69) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the generic name for the Chough and matters connected therewith, as set out in Points (1) to (4) in paragraph 8 on pages 60 and 61 of volume 9 of the *Bulletin of Zoological Nomenclature*" [i.e. in the Points numbered as above in paragraph 8 of the Supplementary Note reproduced in paragraph 2 of the present *Opinion*].

13. The Prescribed Voting Period: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 14th August 1954.

14. Particulars of the Voting on Voting Paper V.P.(54)69: At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)69 was as follows:—

- (a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received):*

Boschma; Holthuis; Lemche; Dymond; Hering; Vokes; Esaki; Riley; Bonnet; Bradley (J. C.); Hemming; do Amaral; Pearson; Hankó; Mertens; Sylvester-Bradley; Cabrera; Stoll; Jaczewski;

- (b) *Negative Votes:*

None;

- (c) *Voting Papers not returned:*

None.

15. Declaration of Result of Vote: On 17th August 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper

V.P.(54)69, signed a Certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

16. Preparation of the Ruling given in the present "Opinion": On 3rd October 1955 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)69.

17. Original References: The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion*:—

Coracia Brisson, 1760, *Ornithologie* 2: 3

Coracia Hübner, [1819], *Verz. bekannt. Schmett.* (11): 168

Coracia Mörch, 1865, *J. Conchyliol.* 13: 385

Coracias Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 107

Coracias Herrmannsen, 1847, *Ind. Gen. Malac.* 1: 303

Galgulus Brisson, 1760, *Ornithologie* 2: 69—85

Galgulus Latreille, [1802—1803], in Sonnini's Buffon, *Hist. nat. gén. partic. Crust. Ins.* 3: 252

Galgulus Wagler, 1827, *Syst. Avium* 1: sign. 21(15)

Galgulus Kittlitz, 1832, *Kupfertaf. Nat. Vögel* (1): 7

garrulus, *Coracias*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 107

Pyrrhocorax Nozeman & Vosmaer, 1758 (*in* Moehring) *Geslach. Vogel.*: 1, 15

Pyrrhocorax Brisson, 1760, *Ornithologie* 2: 30—31

Pyrrhocorax [Tunstall], 1771, *Orn. Brit.*: 2

Pyrrhocorax Vieillot, 1816, *Analyse*: 36

pyrrhocorax, *Upupa*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 118

18. The following is the reference for the selection of a type species for the genus *Coracias* Linnaeus, 1758, specified in the Ruling given in the present *Opinion*: Selby, [1825], *Ill. brit. Orn.* 1. (Landbirds): xxvii.

19. Family-Group-Name Aspects: The present application was submitted before under a Directive issued by the International Congress of Zoology it became the duty of the Commission, when placing a generic name on the *Official List*, to ascertain whether that name had ever been taken as the base for the name of a taxon of the family-group. It has since been ascertained that such a name is involved in the present case. This matter is now being investigated on Commission File Z.N.(G.) 127.

20. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

21. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

22. The present *Opinion* shall be known as *Opinion* Four Hundred and Four (404) of the International Commission on Zoological Nomenclature.

DONE in London, this Third day of October, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING